

REMARKS/ARGUMENTS

This paper is responsive to the Office Action mailed September 5, 2008. Claims 1-30 and 38-60 are pending in the present application. Claims 1-6, 9-19, 22-30, 38-60 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over *Rorex* et al. (US 6,876,997) in view of *Faybishenko* et al. (US 2003/0050924). Claims 7-8 and 20-21 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over *Rorex* and *Faybishenko* in view of *Barsness* (US 2003/0028441). Applicants respectfully disagree. Claims 1-3, 9-11, 13-15, 26-27, 38-39, 43, 46-47, and 55-58 have been amended. Support for all amended claims can be found in the specification and no new matter has been added by these amendments. Reconsideration of the claims in view of the amendments and the following remarks is respectfully requested.

I. Examiner Interview

A telephone interview was conducted with Examiner Ahluwalia on Wednesday, October 29, 2008 at approximately 12:40 AM Eastern Time. Attorneys Roger D. Wylie (Reg. No. 36,974) and Scott S. Adams (Reg. No. 63,302) represented the Applicants in the interview. In the interview, Applicants' claims (in particular claim 1) were discussed and contrasted with the cited art. Although no agreement was reached, Examiner Ahluwalia indicated that, in light of the discussion, the claimed subject matter appears to be distinguishable over the cited art, in particular the primary reference in the Office Action's Section 103 rejection, U.S. Pat. No. 6,876,007 to *Rorex*. The Examiner graciously offered several general suggestions for amending claim 1 in order to clarify the recited elements. Applicants appreciate the Examiner's helpful suggestions, and submit this response in accordance with those suggestions.

II. Claims 1-6, 9-19, 22-30, and 38-60 Are Not Rendered Obvious by *Rorex* in view of *Faybishenko*

Claims 1-6, 9-19, 22-30, 38-60 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over *Rorex* et al. (US 6,876,997) in view of *Faybishenko* et al. (US 2003/0050924). Applicants respectfully traverse this rejection.

A. Independent Claim 1

With regard to rejections under 35 U.S.C. § 103, the Examiner must provide evidence which as a whole shows that the legal determination sought to be proved (*i.e.*, the reference teachings establish a *prima facie* case of obviousness) is more probable than not. M.P.E.P. § 2142. Accordingly, “the key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious.” MPEP §2142; see *KSR International Co. v. Teleflex, Inc.*, 550 U.S. ___, 82 USPQ 2d 1385, 1395-97 (2007).

Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness for claim 1 as *Rorex* and *Faybishenko* do not teach, describe, or suggest the claimed subject matter, alone or in combination. To begin, contrary to the Office Action’s assertion on pages 3-4, the elements of claim 1 are not taught by *Rorex* or *Faybishenko*, alone or in combination. Applicants’ claim 1, as amended, recites a “computer-based method for identifying a product relating to a web page configured to be displayed through a first web site,” the method comprising:

- storing in a computer system a plurality of previously submitted queries submitted through a second web site by users of the second web site, each of the previously submitted queries having a popularity value stored in the computer system;
- receiving at the computer system content derived from the web page;
- using the computer system to identify previously submitted queries that match at least a portion of the content derived from the web page, the identified previously submitted queries from the plurality of previously submitted queries;
- using the computer system to select an identified previously submitted query based on the popularity value of the identified previously submitted query;
- using the computer system to submit the selected previously submitted query to a product search engine to identify a product that is related to the content; and
- providing from the computer system information about the identified product to be displayed on the web page through the first web site.

As set forth above, claim 1 recites “using the computer system to identify previously submitted queries that match at least a portion of the content derived from the web

page, the identified previously submitted queries from the plurality of previously submitted queries.” The Office Action states that this feature is disclosed, save for the use of “previously submitted queries,” in *Rorex*, at column 6, lines 42-50. Applicants respectfully disagree. This portion of *Rorex* is directed to initiating “a search to identify matching related search listings in [a] related search database” that stores related search listings. (*Rorex*, column 6, lines 35-41). *Rorex* further describes that the *Rorex* system determines whether a bidded keyword “has a predetermined relationship with a search term” such as “an exact, letter for letter textual match.” In other words, *Rorex* is identifying “search listings” based on whether that search listing’s bidded keyword has a predetermined relationship with a search term. Claim 1, on the other hand, includes “identifying previously submitted queries [from the previously submitted queries] that match at least a portion of the content derived from the web page.” *Rorex* does not teach that a query, or that a plurality of queries “match at least a portion of the content derived from the web page”, but instead is directed to the different concept of matching a single query with a bidded keyword. As another example of an element not disclosed in the cited references, claim 1 as amended recites “providing from the computer system information about the identified product to be displayed on the web page through the first web site.” To provide context for this element, Applicants point out that claim 1 also recites that the “product...is related to the content” that is “derived from the web page.” The Examiner cites to *Rorex*, column 6, lines 51-59 as teaching this element. Column 6, lines 51-59 of *Rorex*, however, are not directed to “providing from the computer system information about the identified product to be displayed on the web page through the first web site.” Instead, *Rorex* at column 6, lines 54-55 describes that “a search result list is returned to the searcher.” At column 5, line 66 through column 6, line 1, *Rorex* describes that the search results relate to a search entered by a user “using the search engine web page 114.” Returning search results for a user-entered search is not the same as “providing...information about the identified product” when the “product...is related to the content” that is “derived from the web page” as recited in claim 1 because the search results of *Rorex* are taught to be related not to content of the search engine web page 114, but to user-entered search terms submitted through the search engine web page 114. Therefore, Applicants respectfully submit that *Rorex* does not teach “providing...information about the identified

product” when the “product...is related to the content” that is “derived from the web page” because the search results taught by *Rorex* are not “products” that are “related to the content” of the page through which the associated search query was made.

As yet another example of an element not disclosed in the cited references, claim 1 recites two web sites, a first website through which “a web page [is] configured to be displayed” and a second web site through which “a plurality of previously submitted queries [are] submitted.” With respect to the first web site, claim 1 recites “receiving at the computer system content derived from the web page [configured to be displayed through the first web site].” The Office Action asserts on page 3 that “receiving content derived from the web page” is disclosed at *Rorex*, column 5, lines 52-57 and column 12, lines 8-20. Applicants respectfully disagree.

Applicants respectfully submit that the Office Action does not take into account the relationship between the first web site and the second web site when citing to *Rorex* for claim 1’s element of “receiving content derived from the web page.” For example, the cited lines in column 5 of *Rorex* describe that “The searcher may click on HyperText links associated with each listing in that search result page to access the corresponding web pages.” *Rorex*, however, does not teach that the computer of the searcher is used as recited by claim 1, e.g., for “storing...a plurality of previously submitted queries submitted through a second web site by users of the second web site.” As yet another example, *Rorex* teaches examination of “data returned by the crawler” at the cited lines in column 12. However, *Rorex* does not teach that crawler data include “content derived from the web page [configured to be displayed through the first web site]” when “information about the identified product to be displayed on the web page” is provided from the computer system as recited in claim 1.

Combining *Faybishenko* with *Rorex* does not make up for these deficiencies in *Rorex* with respect to Applicants’ claim 1. The position of the Office Action, as confirmed by the Examiner during the interview, is that *Rorex* teaches all the elements of claim 1, except that *Rorex* teaches performing the recited steps with respect to a single query, and not “a plurality of previously submitted queries” and that *Faybishenko* remedies this deficiency. As noted above, the deficiencies of *Rorex* include more than simply a failure to teach use of “a plurality of

previously submitted queries” as recited in Applicants' claim 1. Therefore, simply substituting previously submitted queries into the method taught by *Rorex* would not result in the claimed subject matter.

Further, Applicants respectfully submit that applying the teachings of *Faybishenko* to modify *Rorex* still would not result in the claimed invention. While it is not clear where teachings regarding previously submitted queries appear in the paragraphs cited in the Office Action (paragraphs [0118], [0122], and [0148]), it is assumed that the Office Action identifies the “queryspaces” discussed in paragraph [0122] with previously submitted queries. However, the queryspaces in *Faybishenko* are used in a completely different manner than as recited in claim 1. For example, *Faybishenko* does not teach “using the computer system to identify previously submitted queries that match at least a portion of the content derived from the web page, the identified previously submitted queries from the plurality of previously submitted queries.” On the contrary, *Faybishenko* at paragraph [0089] teaches that a “Resolver 102 may index and search provider information 106 for queryspaces that match the query.” As described in paragraph [0058], *Faybishenko* teaches using the queryspaces for things such as defining “the structure of a valid query that a provider 120 can process” in order to return search results to a user of the described system. This is quite different from claim 1’s recited use of identifying “previously submitted queries...that match at least a portion of the content derived from the web page.” Therefore, using the “queryspaces” as taught in *Faybishenko* would not result in the claimed subject matter of claim 1.

Moreover, Applicants respectfully point out that “impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art.” M.P.E.P. § 2412. The Office Action does not articulate any rationale to support the conclusion asserted in the Office Action that one with ordinary skill in the art would recognize “more accurate results with more preciseness with relevant feedback,” as asserted on page 4 of the Office Action. For instance, there is no discussion that one with ordinary skill in the art would have recognized the claimed subject matter to be: a combination of prior art elements according to known methods to yield predictable results; a simple substitution of one known element for another to obtain predictable results; a use of a known technique to improve similar

devices, methods, or products in the same way; an application of a known technique to a known device, method, or product ready for improvement to yield predictable results; the result of choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; a predictable variation based on design incentives or other market forces; or the result of some teaching, suggestion, or motivation of the prior art that would have led one of ordinary skill to combine the prior art references to arrive at the claimed subject matter. See M.P.E.P. § 2143 (describing acceptable rationales that may support a conclusion of obviousness). Therefore, Applicants respectfully submit that the rationale provided in the Office Action constitutes impermissible hindsight.

For at least these reasons, Applicants' claim 1 cannot be rendered obvious by a combination of *Rorex* and *Faybishenko*. Applicants therefore respectfully request that the rejection with respect to Applicants' claim 1 be withdrawn.

B. Dependent Claims 2-10

As these claims depend from independent claim 1, it is respectfully submitted that these claims are allowable for at least the reasons set forth above in connection with Applicants' claim 1. Further, elements of at least some of these claims are also patentable over these references as these elements also are neither taught nor suggested by these references. For example, Applicants' claim 2 recites "identifying the product based on experience-based relevance of the product to the selected query." The Office Action cites to *Rorex*, column 2, lines 46-47, and column 6, lines 1-10 for a teaching regarding this element. The cited portions of *Rorex*, however, are unrelated to "experience-based relevance," but instead concern using "additional indexes...to improve the relevancy and spread of related search results obtained using the [related search] database." In particular, instead of "experience-based relevance," *Rorex* teaches an index comprising meta information including "advertiser data which is the information contained in each search listing provided by web site promoters who have bid upon search terms in the pay for placement database." Therefore, for this additional reason, applicants

respectfully submit that claim 2 is further allowable in its own right and that the rejections with respect to claims 2-10 should be withdrawn.

C. Independent Claim 11

Applicants' claim 11, as amended, recites a "computer-based method for providing information about a product to be associated with content from a first system," the method comprising:

A computer-based method for providing information about a product to be associated with content from a first system, the method comprising:

storing in a computer system a plurality of previously-submitted queries submitted to a second system, each previously submitted query having a popularity of submission value stored in the computer system;

using the computer system to identify a previously submitted query from the plurality of previously submitted queries based on a relevance of the previously submitted query to the content and the popularity of submission value of the previously submitted query;

using the computer system to submit the identified previously submitted query to select a product that matches the identified previously submitted query as the product to be associated with the content; and

providing from the computer system information about the selected product to be associated with the content through the first system.

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness of claim 11 has not been established because a combination of *Rorex* and *Faybisenko* do not teach, suggest, or otherwise make obvious the elements recited in amended claim 11 such as "using the computer system to identify a previously submitted query" based on "a relevance of the previously submitted query to the content and the popularity of submission value of the previously submitted query." For example, the Office Action cites to *Rorex*, column 2, lines 46-47 and column 6, lines 1-10 for "identifying a previously submitted query from the plurality of previously submitted queries based on a relevance of the previously submitted query to content from a second system and its popularity

of submission.” The cited lines of column 2 of *Rorex* state that “all text from all web pages referenced by the pay for placement database is stored and used to create an inverted index.” The cited lines of column 6 concern returning search listings to a searcher. Thus, the cited portions of *Rorex* concern not “using the computer system to identify a previously submitted query” based on “a relevance of the previously submitted query to the content and the popularity of submission value of the previously submitted query,” but rather storing content in an inverted index and returning search listings to a searcher.

Taking into account additional elements of claim 1, the failure of *Rorex* to teach these elements becomes even more apparent. For instance, claim 1 recites “using the computer system to submit the identified previously submitted query to select a product that matches the identified previously submitted query as the product to be associated with the content.” The Office Action cites to element 206 of figure 2 and column 6, lines 42-50 of *Rorex* as teaching this claim element. However, these portions of *Rorex* refer to “identify[ing] matching related search listings in a related search database” to identify search results to return to a searcher. Thus, *Rorex* teaches not “using the computer system to submit the identified previously submitted query to select a product that matches the identified previously submitted query as the product to be associated with the content” but rather identifying search listings that are associated with a user-entered search request.

For at least these reasons, Applicants’ claim 11 cannot be rendered obvious by the teachings of *Rorex* and *Faybishenko*. Therefore, applicants respectfully request that the rejections with respect to claim 11 be withdrawn.

D. Dependent Claims 12-25

As these claims depend from independent claim 11, it is respectfully submitted that these claims are allowable for at least the reasons set forth above in connection with applicants’ claim 11. Further, elements of at least some of these claims are also patentable over these references as these elements also are neither taught nor suggested by these references. For example, Applicants’ claim 16 recites that “the content is related to an article”, claim 17 recites

that “the content is a headline of the article”, claim 18 recites that “the content is a body of the article”, claim 19 recites that “the content is a portion of a body of the article”, and claim 22 recites that “the content is a portion of a dynamically generated web page”. Even if for sake of argument one could construe the teachings of *Rorex* and *Faybishenko* to disclose features such as articles, headlines, etc., such results are not content used to identify “a previously submitted query from the plurality of previously submitted queries based on a relevance of the previously submitted query to content from a second system and the popularity of submission of the previously submitted query” as recited. Such elements thus are neither taught nor suggested by these references. Therefore, *Rorex* and *Faybishenko* do not, individually or in combination, teach the above identified elements. For at least these reasons, claims such as claims 12-25 are further allowable in their own right. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

E. Independent Claim 26

Applicants' claim 26 recites a “method in a computer system for providing information relating to content,” the method comprising:

- sending the content to a web service, the web service for storing a plurality of previously submitted queries, for identifying a previously submitted query from the plurality of previously submitted queries that is related to the sent content, and for selecting a product that matches the identified previously submitted query as the product to be associated with the content;

- receiving information relating to the product associated with the content; and
- concurrently displaying the content and the received information to a visitor of the first web page.

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness has not been made for claim 26 and that a combination of *Rorex* and *Faybishenko* does not teach or suggest elements such as “sending content to a web service” for “identifying a previously submitted query” from a “plurality of previously submitted queries that is related to the sent content”. As with U.S. Patent No. 7,062,561 to *Reisman* discussed in Applicants' response of July 28, 2008, *Rorex* and

Faybishenko both require a user to submit a query or similar entry, and do not teach or suggest “sending content to a web service” for “identifying a previously submitted query”, particularly with respect to the other elements in the claim. For at least these reasons, Applicants' claim 26 cannot be rendered obvious by these references. Applicants therefore respectfully request that the rejections with respect to claim 26 be withdrawn.

F. Dependent Claims 27-30

As these claims each depend from independent claim 26 discussed above, it is respectfully submitted that these claims are allowable at least for the reasons set forth above in connection with claim 26. Further, elements of at least some of these claims are also patentable over these references as these elements are neither taught nor suggested by these references, such as those elements discussed above. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

G. Independent Claim 38

Applicants' claim 38 recites a “computer system for providing a query relating to content,” comprising:

- a popularity-based query table containing previously submitted queries submitted by users of the computer system and indications of the popularity of the queries among users;
- a component that identifies previously submitted queries of the popularity-based query table that match at least a portion of content received from a source external to the computer system, the external source configured to display the content to users visiting the external source;
- a component that selects an identified previously submitted query based on its indication of popularity as indicated by the popularity-based query table; and
- a component that provides information about a product, corresponding to the selected query, to be displayed with the content through the external source.

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness has not been made for claim 38 and that a combination of *Rorex* and *Faybishenko* does not teach or suggest elements such as “a component

that identifies previously submitted queries of the popularity-based query table that match at least a portion of content received from a source external to the computer system.” *Rorex* and *Faybishenko* also fail to teach or suggest “a component that provides information about a product, corresponding to the selected query, to be displayed with the content through the external source.” For at least these reasons, Applicants’ claim 38 cannot be rendered obvious by these references. Applicants therefore respectfully request that ht rejections with respect to claim 38 be withdrawn.

H. Dependent Claims 39-46

As these claims each depend from independent claim 38 discussed above, it is respectfully submitted that these claims are allowable at least for the reasons set forth above in connection with claim 38. Further, elements of at least some of these claims are also patentable over these references as these elements are neither taught nor suggested by these references, such as those elements discussed above. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

I. Independent Claim 47

Applicants’ claim 47 recites a “computer-readable storage medium containing instructions for controlling a computer system to provide product data” by a method comprising:

using the computer system to generate a popularity-based query table containing previously submitted queries submitted by users of a vendor’s web site and indications of the popularity of the queries among the users;

receiving at the computer system content to be displayed on an associate’s web site, the associate’s web site configured to concurrently display product data provided by the vendor and the content;

using the computer system to identify previously submitted queries of the popularity-based query table that match the received content;

using the computer system to select an identified previously submitted query based on its indication of popularity as indicated by the popularity-based query table;

using the computer system to submit the selected query to identify products that match the selected query;
using the computer system to retrieve product data associated with an identified product;
and
sending from the computer system the retrieved product data to be displayed with the content on the associate's web site.

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness has not been made for claim 47 and that a combination of *Rorex* and *Faybishenko* does not teach or suggest elements such as “receiving at the computer system content to be displayed on an associate's web site, the associate's web site configured to concurrently display product data provided by the vendor and the content,” and “using the computer system to identify previously submitted queries of the popularity-based query table that match the received content.” For example, the Office Action cites to Figure 1 and column 3, lines 9-15 of *Rorex* as teaching “receiving content from an associate of the vendor's web site.” Figure 1 shows a diagram that shows generally that information is passed between a client, an advertiser, and a search engine via the Internet and the cited text describes general components of Figure 1 and states that “the servers 104, 106, 108 [of the database search system 100] may be accessed over the network 102 by an advertiser web server 120 or a client computer 122.” Thus, it appears that the Office Action considers that the advertiser server 120 (or more generally, the advertiser) is a vendor that sends content to the servers 104, 106, 108. As amended, however, claim 47 recites “the associate's web site configured to concurrently display product data provided by the vendor and the content.” *Rorex* does not teach that the advertiser server 120 has a web site configured to concurrently display product data provided by the vendor and the content.

Further, for reasons similar to those discussed above in connection with claim 1, the element of “using the computer system to identify previously submitted queries of the popularity-based query table that match the received content” is not taught by *Rorex* because *Rorex* does not teach identifying previously submitted queries based on matching received content, but teaches the different concept of matching search queries to bidded keywords.

Rorex and *Faybishenko* also fail to teach or suggest “using the computer system to retrieve product data associated with an identified product” and “sending from the computer system the retrieved product data to be displayed with the content on the associate's web site.” For at least these reasons, Applicants' claim 47 cannot be rendered obvious by these references. Applicants therefore respectfully request that the rejections with respect to claim 47 be withdrawn.

J. Dependent Claims 48-54

As these claims each depend from independent claim 47 discussed above, it is respectfully submitted that these claims are allowable at least for the reasons set forth above in connection with claim 47. Further, elements of at least some of these claims are also patentable over these references as these elements are neither taught nor suggested by these references, such as those elements discussed above. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

K. Independent Claim 55

Applicants' independent claim 55 recites “A computer system for identifying products related to content, comprising:”

means for providing a popularity-based query table containing previously submitted queries and indications of the popularity of each of the previously submitted queries;

means for receiving a request to identify products related to content from an external source;

means for selecting a previously submitted query from the popularity-based query table based on the indication of popularity of the selected previously submitted query and the received content;

means for identifying products that match the selected previously submitted query; and

means for providing information about the identified products to the external source to be displayed concurrently with the content in response to receiving the request.

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness has not been made for claim 55 and that a

combination of *Rorex* and *Faybishenko* does not teach or suggest elements of the claim. Independent claim 55, for example, recites elements that are neither taught nor suggested by *Rorex* and *Faybishenko* for reasons including at least some of those set forth above. For example, claim 55 recites “means for receiving a request to identify products related to content from an external source” and “means for selecting a previously submitted query from the popularity-based query table based on the indication of popularity of the selected previously submitted query and the received content.” For reasons similar to those discussed in connection with claim 1, *Rorex* does not teach these elements.

The Office Action cites to *Rorex*, element 204 of figure 2, element 316 of figure 3a, and column 6, lines 42-50 for “means for receiving a request to identify products related to content.” Elements 204 and 316 relate to a user-entered search terms and identification of matching search listings in a pay for placement database. The cited lines of column 6 refer to identifying search listings from a related search database that match or have another predetermined relationship with the search terms. Thus, the cited portions of *Rorex* do not teach “means for receiving a request to identify products related to content” but identifying search listings related to search terms.

The Office Action cites to *Rorex*, element 206 of figure 2 and column 6, lines 42-50 for “means for selecting a previously submitted query from the popularity-based query table.” Both element 206 and the cited lines of column 6 refer to identifying related search listings in a related search database that match or are otherwise related to a received search request. Identifying search listings (i.e. search results) is different than “selecting a previously submitted query” because the former identifies search results while the former identifies search terms.

Therefore, both *Rorex* and *Faybishenko*, either individually or in combination, fail to teach these features. As such, these claims cannot be rendered obvious by *Rorex* and *Faybishenko*. Accordingly, applicants respectfully request that the rejection of claim 55 be withdrawn.

L. Independent Claim 56

For reasons including at least some of those set forth above, it is respectfully submitted that a *prima facie* case of obviousness has not been made for claim 56 and that a combination of *Rorex* and *Faybishenko* does not teach or suggest elements of the claim. Independent claim 56, for example, recites elements that are neither taught nor suggested by *Rorex* and *Faybishenko* for reasons including at least some of those set forth above. For example, claim 56 recites “using the computer system of the vendor to identify a previously submitted query among the plurality of previously submitted queries that matches the content” and “receiving at the computer system of the vendor a request from the associate for product data for a product relating to content transmitted to users by a computer system of the associate.”

For example, the Office Action cites to *Rorex*, element 204 of figure 2 and column 6, lines 35-42 for “identifying a previously submitted query among the plurality of previously submitted queries that matches the content.” As noted above, element 204 refers to “identify[ing] matching search listings in [a] pay for placement database.” The cited lines of column 6 refer to “identify[ing] matching related search listings in the related search database” by matching bidded keywords with user-entered search terms. As claim 56 recites “identify[ing] a previously submitted query...that matches the content,” which is different from matching user-entered search terms to bidded keywords.

The Office Action cites to *Rorex*, figure 1 and column, 3, lines 9-15 for “receiving from the associate a request for product data for a product relating to content.” For reasons similar to those discussed above in connection with claim 47, *Rorex* does not teach this element.

As above, both *Rorex* and *Faybishenko*, either individually or in combination, fail to teach these features. As such, these claims cannot be rendered obvious by *Rorex* and *Faybishenko*. Accordingly, applicants respectfully request that the rejection of claim 56 be withdrawn.

M. Dependent Claims 57-59

As these claims each depend from independent claim 56 discussed above, it is respectfully submitted that these claims are allowable at least for the reasons set forth above in connection with claim 56. Further, elements of at least some of these claims are also patentable over these references as these elements are neither taught nor suggested by these references, such as those elements discussed above. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

III. Claims 7-8 And 20-21 Are Not Rendered Obvious by *Rorex* and *Faybishenko* in View of *Barsness*

Claims 7-8 and 20-21 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over *Rorex* and *Faybishenko* in view of *Barsness* (US 2003/0028441). As claims 7-8 and 20-21 are dependent on allowable independent claims (claims 1 and 11, respectively), as discussed above, claims 7-8 and 20-21 are allowable for at least this reason. Further combining *Barsness* with *Rorex* and *Faybishenko* still would not teach or suggest each element of these claims. The Office Action does not provide a citation to *Faybishenko* for any teachings, but it is assumed that citation for the teaching of using “previously submitted queries” was intended, as with the other claims rejected in view of *Faybishenko*.

Barsness is simply cited as teaching “content as a web log” and a “web page containing an instant messaging message.” (Office Action, pages 22-23). *Barsness* does not, however, make up for the deficiencies of the independent claims from which claims 7-8 and 20-21 depend. For instance, *Barsness* does not teach or suggest “using the computer system to identify a previously submitted query” based on such content, as recited by claims 1 and 11. As above, *Rorex* and *Faybishenko* also fail to teach or suggest such elements, a combination with *Barsness* still would not function to render these claims obvious. Applicants therefore respectfully request that the rejections with respect to these claims be withdrawn.

IV. Amendment To The Claims

Unless otherwise specified or addressed in the remarks section, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter. In addition, by focusing on specific claims and claim elements in the discussion above, applicants do not imply that other claim elements are disclosed or suggested by the references. In addition, any characterizations of claims and/or cited art are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by another prosecution. Accordingly, reviewers of this or any child or related prosecution history shall not reasonably infer that applicants have made any disclaimers or disavowals of any subject matter supported by the present disclosure.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

/Scott S. Adams/

Scott S. Adams
Reg. No. 63,302

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
SSA:kbh
61590899 v3